

WASHINGTON, D. C. 20505

*Mat. Luenisher  
(entire pkg. Tucker)*

Office of Legislative Counsel

OLC 2584 -78  
August 16, 1978

Honorable Jim Guy Tucker  
House of Representatives  
Washington, D.C. 20515

Dear Jim Guy:

I enjoyed talking to you today. You have a bright future and I know that anything you undertake you will do exceptionally well. I hope law practice will sustain your interest.

With respect to HR 7308, here are the materials which I promised you.

The principal issue is whether or not the Judiciary should be involved in foreign intelligence surveillance questions. We believe that it should under the closely circumscribed conditions which are provided for in the bill. The special courts in the bill, for instance, will not have the power to substitute their judgment for our own with respect to the need for a surveillance tap. We believe that the bill will settle law in this area in a much needed way. It will give FBI agents at the working level and international common carriers confidence that they won't be sued as a consequence of actions taken in the surveillance area.

After you have had a chance to review these materials, I will call back and get your views.

With best personal regards,

Sincerely,



Frederick P. Hitz  
Legislative Counsel

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Enclosures

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